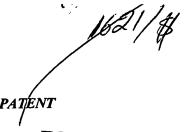


47578-CPA (71095)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

DEC 2 3 2002

In re application of:

G. Durant et al.

Application No.:

09/176,067

Group No.:

1621

TECH CENTER 1600/2900

Filed: For:

October 20, 1998 Examiner: P. O'Sullivan PHARMACEUTICALLY ACTIVE COMPOUNDS AND METHODS OF USE

Assistant Commissioner for Patents Washington, D.C. 20231

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. 1.136(a))

1. This is a petition for an extension of the time for a total period of 3 month to	0				
file a Request for Continued Examination (RCE) Transmittal					
(indicate matter being extended)					

"Extensions of Time in Patent Cases (Supplement Amendments)--If a timely and complete response has been filed after a NOTE: Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

"If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-

NOTE: See 37 C.F.R. 1.645 for extensions of time in interference proceedings and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings. RECEIVED

NOTE: An extension of time under 37 CFR 1.136(a)(1) is available unless:

"(i) Applicant is notified otherwise in an Office action;

"(ii) The reply is a reply brief submitted pursuant to § 1.193(b);

JAN 2 4 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

FACSIMILE

X deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

transmitted by facsimile to the Patent and Trademark Office.

Busan M Villon Signature

Date: ___12/13/02

Susan M. Dillon

(type or print name of person certifying)

12/13/2002 NMORAME1 0000004C 69176067

(Petition and Fee for Extension of Time (37 C.F.R. 1.136(a)--page 1 of 3)

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450.00 OP

		"(iii) The reply is a requ "(iv) The reply is to a de § 1.304; or "(v) The application is in	ecision by the Boar	d of Patent Appeals and	l Interference	s pursuant to s	\$ 1.196, § 1.197 or
2.	A respo						
			(complete the fo	ollowing, if applicable)			
NOTE:	The PTO accepts the filing of a continuing application as a response under 37 C.F.R. 1.136 and 1.137. To facilital processing in such a case, the petition for extension of time should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application. Notice of May 13, 1983, 1031 O.G. 11-12.						
			nt conditioned	of a continued prose l on the granting			
3.	Applica	icant is					
	[X]	a small entity.					
	[]	other than a small e	ntity.				
4.	Calculation of extension fee (37 C.F.R. 1.17(a)(1)-(5)):						
	Extension		F	ee for other than		Fee for	
	(month:	s)	Si	mall entity		sr	nall entity
	[]	one month	\$			\$	
	[]	two months	•	400.00		\$	200.00
	[X]	three months		920.00		\$	460.00
	[]	four months		1,440.00		\$	720.00
	[]	five months	25	1,960.00	Fee \$	460.00	980.00
						10000	
If an ac	dditional	extension of time is	required, please	e consider this a pet	ition theref	or.	
		(check	and complete	the next item, if app	licable)		
	[] \$	An extension for is deducted		as already been sec fee due for the total		•	
Extens	ion fee d	ue with this request	\$4	60.00			

5. Extended period for response

filed, if	Based on the extension requested in this per any), the extended period for response will ex	cition (and that for which a previous petition has been spire on December 17, 2002 Date			
6.	Fee Payment				
NOTE:	If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the addition consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is note corrected, the application is held abandoned. In those instances where authorization to charge is included, processing dela encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986; 1065 O.G. 3				
	[X] Attached is a check in the sum of \$ 460.00 . [X] Charge Account 04-1105 for any additional extension and/or fee required or credit for any excess fee paid.				
	[] Charge fee to Account No.: This is a request to charge for any additional extension and/or fee required or credit for any excess fee paid. A duplicate copy of this petition is attached.				
		SIGNATURE OF PRACTITIONER			
Reg. N	o. 33,860	Peter F. Corless (type or print name of practitioner)			
Tel. No	o. (617) 439-4444	EDWARDS & ANGELL, LLP P.O. Box 9169 P.O. Address			
Custon	ner No.21874	Boston, Massachusetts 02209			

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